

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:23-CV-1625-M

BRIANNA PAULL, et al.,

Plaintiffs,

v.

THE TOWN OF HOLLY RIDGE, et al.,

Defendants.

**SCHEDULING ORDER**

This matter is before the court on the parties' Rule 26(f) report ("discovery plan"). [DE-45]. The discovery plan is APPROVED AND ORDERED, as modified herein, with the following critical deadlines:

1. Initial disclosures under Rule 26(a)(1) are due by **December 6, 2024**;
2. Motions to amend the pleadings and to join additional parties are due from Plaintiffs by no later than **December 20, 2024**, and from Defendants by no later than **January 17, 2025**. Nothing in this order shall relieve a party of any requirement to obtain court approval prior to joining a party or amending its pleadings;
3. Class-related discovery shall be completed by **March 14, 2025**;
4. Disclosure of expert witnesses and reports under Fed. R. Civ. P. 26(a)(2) addressing class certification are due from Plaintiffs by no later than **February 28, 2025**, from Defendants by no later than **March 28, 2025**, and from rebuttal experts by no later than **April 18, 2025**;
5. Plaintiffs' motion for class certification and Daubert motions related to class certification shall be filed by no later than **May 2, 2025**, responses shall be filed by no later than **June 2, 2025**, and any replies shall be filed by no later than **June 23, 2025**; and
6. The parties shall hold a second planning conference to address deadlines for discovery and motions regarding merits issues by no later than **May 2, 2025**, and shall file a proposed plan by no later than **May 16, 2025**.

Any party making an appearance after this Scheduling Order has been entered shall be required to confer with opposing counsel within **twenty-one (21) days** after the party's appearance in the case. Such party shall be bound by the terms of this order unless the party moves for and obtains amendment of this order by the court.

The parties' request for a protective order to govern the disclosure of confidential information must be made by separate motion accompanied by a proposed protective order.

The parties are cautioned not to be dilatory in pursuing discovery. Motions for extension of discovery deadlines are not favored if they would require a continuance of the trial.

In preparation for the final pretrial conference, the parties shall adhere to the following deadlines set forth in Local Civil Rule 16.1(b):

1. At least 28 days before the pretrial conference, all parties must provide to all other parties the pretrial disclosures required under Fed. R. Civ. P. 26(a)(3);
2. At least 21 days before the pretrial conference, a party may designate and serve any objections listed in Fed. R. Civ. P. 26(a)(3); and
3. At least 7 days before the pretrial conference, a proposed pretrial order must be submitted to the court in the form described in Local Civil Rule 16.1(c) and (e). The parties' Rule 26(a)(3) disclosures, and objections thereto, shall be incorporated into the final pretrial order.

In addition to filing, counsel shall submit the proposed pretrial order and any documents required by Local Civil Rules 39.1, 51.1, and 52.1 electronically to Documents\_Judge\_Myers@nced.uscourts.gov (this email address is receipt only).

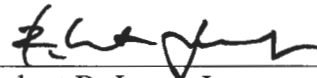
This case is subject to mandatory mediation, pursuant to Local Civil Rule 101.1a(b). The Parties shall file a statement identifying the selected mediator and meeting the other applicable requirements within **twenty-one (21) days** after the entry of this order, in accordance with Local Civil Rule 101.1c(a). If a statement is not timely filed, the Clerk will appoint a mediator from the list of court-certified mediators, in accordance with Local Civil Rule 101.1c(b). Upon request,

this court will assist with settlement negotiations or other ADR by making available a judge other than the trial judge to explore these possibilities should the parties' efforts at private mediation prove unsuccessful.

On consent of all parties, and with the concurrence of the District Judge, this case may be referred to a Magistrate Judge for jury or bench trial, as appropriate, with a peremptory trial setting and the right of direct appeal to the Fourth Circuit. A copy of the consent form may be obtained from the Clerk. The parties are free to withhold consent without adverse substantive consequences. Fed. R. Civ. P. 73(b)(2).

The remaining provisions of the discovery plan not inconsistent with the foregoing are approved and adopted as this court's order.

SO ORDERED, the 18 day of November, 2024.



Robert B. Jones, Jr.  
United States Magistrate Judge